

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN B. EHRET,

Plaintiff,

Case No. 1:14-cv-725

v

HON. JANET T. NEFF

THE UNITED STATES
DEPARTMENT OF DEFENSE and
THE UNITED STATES ARMY
CORPS OF ENGINEERS,

Defendants.

OPINION AND ORDER

Plaintiff, proceeding pro se, filed this lawsuit in July 2014 against Defendants (Dkt 1). The case was referred to the Magistrate Judge (Dkt 2). Defendants filed a motion for summary judgment (Dkt 7), to which Plaintiff filed a response (Dkt 10), and Defendants filed a reply (Dkt 12). The Magistrate Judge issued a Report and Recommendation (R&R, Dkt 19), recommending that this Court grant Defendants' motion. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (Dkt 20).

In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court determines that the Magistrate Judge carefully and thoroughly considered the record, the parties' arguments, and the law governing claims brought against agencies of the United States. The assertions in Plaintiff's objections do not persuade the Court otherwise. Rather, Plaintiff's objections merely reiterate and expand the positions he adopted

in his motion papers, without demonstrating any factual or legal error in the Magistrate Judge's analysis. Plaintiff proffers no argument that would warrant rejecting either the Magistrate Judge's determination that the only issue before this Court is whether Defendants have complied with their obligations under the Freedom of Information Act, 5 U.S.C. § 552(a)(4)(B), or her ultimate conclusion that "Defendants are entitled to summary judgment on Plaintiff's claim that they improperly withheld from Plaintiff requested, non-exempt records" (R&R, Dkt 19 at 7). For the reasons stated in the Report and Recommendation, the Court agrees that Defendants are entitled to the relief they seek. Accordingly, the Court will adopt the Magistrate Judge's Report and Recommendation as the Opinion of this Court and enter a Judgment consistent with this Opinion and Order. *See* FED. R. CIV. P. 58.

THEREFORE, IT IS ORDERED that the Objections (Dkt 20) are DENIED, and the Report and Recommendation (Dkt 19) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (Dkt 7) is GRANTED.

Dated: June 23, 2015

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge